

MAY 09 2016

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

JULIA C. DUDLEY, CLERK  
BY: S/T. Taylor  
DEPUTY CLERK

JACK RANDALL CRABTREE, ) Civil Action No. 7:16-cv-00169  
Petitioner, )  
 ) ORDER  
v. )  
 ) By: Hon. Michael F. Urbanski  
HAROLD W. CLARKE, ) United States District Judge  
Respondent. )

In accordance with the written Memorandum Opinion entered this day, it is hereby

**ORDERED**

that the petition for writ of habeas corpus pursuant to 28 U.S.C. §2254 is **DISMISSED without prejudice** as unexhausted; a certificate of appealability is **DENIED**; the motion to proceed in forma pauperis is **DENIED** as moot; and the action is **STRICKEN** from the active docket.

The Clerk shall send certified copies of this Order and the accompanying Memorandum Opinion to Petitioner.

ENTER: This 6<sup>R</sup> day of May, 2016.

*/s/ Michael F. Urbanski*  
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United States District Judge